

10/21/01

jc923 U.S. PTO

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PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

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BX seq

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

PS-804

First Inventor

ROSEN, Craig

Title

Human Secreted Proteins

Express Mail Label No.

## APPLICATION ELEMENTS

*See MPEP chapter 600 concerning utility patent application contents.*

1.  Fee Transmittal Form (e.g., PTO/SB/17) (in duplicate)  
*(Submit an original, and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 2248]  
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets       ]
5.  Declaration [Total Pages 4]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*
  - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76.

## ADDRESS TO:

 Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper (2236 pages)
 Statements verifying identity of above copies
  - c.

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet and document(s)) (3 pp.)
10.  37 CFR 3.73(b) Statement  Power of Attorney
11.  English Translation Document (*if applicable*)
12.  Information Disclosure Statement/ Form PTO/SB/08
  - Copies of Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(should be specifically itemized)*
15.  Certified copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Other:

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-Part (CIP) of prior application No: 60/278,650 filed March 27, 2001

Prior application information: Examiner \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label 22195 or  Correspondence address below

|                   |   |  |          |
|-------------------|---|--|----------|
| NAME              |   |  |          |
| ADDRESS           |   |  |          |
| CITY              | STATE   |  | ZIP CODE |
| COUNTRY           | TELEPHONE   |  | FAX      |
| NAME (Print/Type) | Registration No. (Attorney/Agent) <u>40,302</u>           |  |          |
| SIGNATURE         | <u>Kenley K. Hoover</u><br><u>Date September 12, 2001</u> |  |          |

Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box Patent Application, Washington, DC 20231.

100-979 U.S. P.T.O.  
09/12/01

**FEE TRANSMITTAL  
for FY 2001**
*Complete if Known**Patent fees are subject to annual revision.*

|                         |                    |
|-------------------------|--------------------|
| Application Number      | To be assigned     |
| Filing Date             | September 12, 2001 |
| First Named Inventor    | ROSEN, Craig       |
| Examiner Name           | To be assigned     |
| Group Art Unit          | To be assigned     |
| Total amount of payment | (\$ 982.00)        |
| Attorney Docket Number  | PS-804             |

**METHOD OF PAYMENT (CHECK ONE)**

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account **08-3425**  
Number  
Deposit Account Human Genome Sciences, Inc.  
Name

- Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

- Applicant claims small entity status

See 37 CFR 1.27

- Payment Enclosed:

- Check  Credit Card  Money Order  Other

Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 08-3425

**FEE CALCULATION (CONTINUED)****3. ADDITIONAL FEES**

| Large Entity                      | Small Entity |          |          |  | Fee Paid |
|-----------------------------------|--------------|----------|----------|--|----------|
| Fee Code                          | Fee (\$)     | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
| 105                               | 130          | 205      | 65       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 127                               | 50           | 227      | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                               | 130          | 139      | 130      | Non-English specification  |          |
| 147                               | 2,520        | 147      | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112                               | 920          | 112      | 920      | Requesting publication of SIR prior to Examiner action                     |          |
| 113                               | 1,840        | 113      | 1,840    | Requesting publication of SIR after Examiner action                        |          |
| 115                               | 110          | 215      | 55       | Extension for reply within first month                                     |          |
| 116                               | 390          | 216      | 195      | Extension for reply within second month                                    |          |
| 117                               | 890          | 217      | 445      | Extension for reply within third month                                     |          |
| 118                               | 1,390        | 218      | 695      | Extension for reply within fourth month                                    |          |
| 128                               | 1,890        | 228      | 945      | Extension for reply within fifth month                                     |          |
| 119                               | 310          | 219      | 155      | Notice of Appeal   |          |
| 120                               | 310          | 220      | 155      | Filing a brief in support of an appeal                                     |          |
| 121                               | 270          | 221      | 135      | Request for oral hearing   |          |
| 138                               | 1,510        | 138      | 1,510    | Petition to institute a public use proceeding                              |          |
| 140                               | 110          | 240      | 55       | Petition to revive -unavoidable  |          |
| 141                               | 1,240        | 241      | 620      | Petition to revive - unintentional   |          |
| 142                               | 1,240        | 242      | 620      | Utility issue fee (or reissue)   |          |
| 143                               | 440          | 243      | 220      | Design issue fee   |          |
| 144                               | 600          | 244      | 300      | Plant issue fee  |          |
| 122                               | 130          | 122      | 130      | Petitions to the Commissioner  |          |
| 123                               | 50           | 123      | 50       | Petitions related to provisional applications                              |          |
| 126                               | 240          | 126      | 240      | Submission of Information Disclosure Statement                             |          |
| 581                               | 40           | 481      | 40       | Recording each patent assignment per property (times number of properties) | \$ 40.00 |
| 146                               | 710          | 246      | 355      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149                               | 710          | 249      | 355      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179                               | 710          | 279      | 355      | Request for Continued Examination (RCE)                                    |          |
| 169                               | 190          | 169      | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify):              |              |          |          |  |          |
| Other fee (specify):              |              |          |          |  |          |
| *Reduced by Basic Filing Fee Paid |              |          |          |  |          |
| Subtotal (3)                      |              |          |          |  | \$ 40.00 |

Subtotal (2) (\$232.00)

**Submitted By**Name (Print/Type) Kenley K. HooverSignature: [Signature]

Complete (if applicable)

Registration No.: 40,302

Telephone 301-610-5771

Date September 12, 2001

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: ROSEN et al.

Application Serial No.: Unassigned

Art Unit: Unassigned

Filed: Concurrently herewith

Examiner: Unassigned

For: Human Secreted Proteins

Atty. Docket No.: PS-804

**TRANSMITTAL AND SUBMISSION UNDER  
37 C.F.R. §§ 1.824 and 1.52(e)(3)(ii)**

Commissioner For Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. § 1.824, Applicants submit herewith one compact disc (CD-R). The CD-R labeled CRF contains the Sequence Listing to satisfy the computer readable form. A Statement Under 37 C.F.R. § 1.821 is enclosed herewith.

The enclosed CD-R labeled CRF contains the Sequence Listing on the following format specifications:

1. Machine format: IBM-PC
2. Operating System: MS-Windows
3. Name of Files: PS804\_SeqList.txt
4. Size: 6,878,977 bytes
5. Date of Creation: September 10, 2001

Respectfully submitted,

Date: September 12, 2001

  
Kenley K. Hoover (Reg. No. 40,302)  
Attorney for Applicants

**Human Genome Sciences, Inc.**  
9410 Key West Avenue  
Rockville, MD 20850  
Telephone: (301) 610-5771

KKH/DS/lcc  
Enclosure

(C) PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

09/13/2001 TLUU11 00000112 083425 09950002

01 FC:101 710.00 CH  
02 FC:103 54.00 CH  
03 FC:102 80.00 CH

PTO-1556  
(5/87)